GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Revenue Department - Sri M. Rajendra, former Mandal Revenue Inspector, O/o the Tahsildar, TADA presentaly working as Senior Assistant O/o the RDO, Naidupet – Revision petition filed against the orders of the CCLA – Admitted – Modifying the penalty imposed by the Appellate Authority from 'stoppage of 3 annual grade increments without cumulative effect' is modified to 'censure' - Orders – Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.Rt.No.1067 Dt:24-10-2019

Read the following:

1. Proceedings of the Collector & District Magistrate, SPSR Nellore District in Rc/No/916/2013, dated:13.12.2017.
2. Proceedings of CCLA (Commissioner of appeals) NO VSI (4)/39/2018, dated:27.02.2019.
3. Appeal from Sri M. Rajendra, Senior Assistant O/o the RDO, Naidupet, dt.03.06.2019.
4. Govt.Memo.No.REV01-LANA0CCLV/3/2019-VIG-III, dated:31/07/2019
5. From the CCLA, Vijayawada in Ref No VSI (4)/39/2018, dated:13.08.2019

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ORDER:

Whereas, the District Collector, SPSR Nellore District issued orders imposing a punishment of with-holding of Five Annual Grade Increments with cumulative effect on the grounds that Sri M. Rajendra, former Mandal Revenue Inspector had committed irregularities in recommending for issue of assignment Pattas to the Ex-Servicemen and others in an extent of Act 121.41 cents covering Survey Nos. 43/1, 43/2, 451, 169/3,171/5, 174, 51/2, 51/3, 180-6, 180-6A and 180-6B etc of Graddatunta, Andagundala, Karijatha, Akkampeta, Tadakandrika, Mambattu, Vatambedu & Venadu Revenue Villages in Tada Mandal, Nellore District, vide the ref 1st read above.

2. Aggrieved by the above, Sri M. Rajendra, former Mandal Revenue Inspector, O/o the Tahsildar, TADA presentaly working as Senior Assistant O/o the RDO, Naidupet filed appeal petition before the Chief Commissioner of Land Administration, Vijayawada against the orders of the District Collector, SPSR Nellore District.

3. The appellate authority i.e, CCLA, on perusal of the connected records and grounds urged by the applicant, has observed that the Assignment pattas to Ex-Servicemen and others were not approved by the Assignment Review Committee and not distributed to the beneficiaries. The then Joint Collector has cancelled the Assignment pattas on 06.04.2013 and incorporated changes in the village records. But the appellant along was imposed the major punishment which is disproportionate to the charges framed against him. Therefore, the appellate authority i.e, CCLA while disposing the appeal petition, has modify the orders of the Collector, SPSR Nellore District and reduce the punishment of stoppage of (5) Annual Grade Increments with cumulative effect to that of three (3) Annual Grade Increments without cumulative effect, in the reference 2nd read above.

4. Aggrieved by the above orders of the appellate authority, Sri M. Rajendra, former Mandal Revenue Inspector, has preferred a Revision petition under Rule 40 of A.P.C.S (CC& A) Rules, 1991 before the Government stating that the modified punishment of (3) annual grade increments without cumulative effect is still harsh and is much against to the doctrine of Proportionality. Therefore, he has prayed to render justice by setting aside the order of punishment on due consideration of the facts of the case as well as the finding of the Appellate Authority, in the reference 3rd read above.

5. Government in exercise of the powers conferred under Rule 40 of A.P.C.S (CC& A) Rules, 1991, has admitted the revision petition and in view of the enquiry report of the then Sub- Collector, Gudur it is observed that two retired Tahsildars Sri K. Jali Reddy, Smt. Malathi Annapurna and Field Staff i.e. Mandal Revenue Inspector, Senior Assistant, Deputy Tahsildar, Village Revenue Officers of Undagundla, Karijatha, Akkampeta, Mambattu, Vattembedu and Venadu of Tada Mandal are correctively responsible on mutual cooperation in the act of granting assigning pattas. But the District Collector had initiated disciplinary action only against Mandal Revenue Inspector Sri M. Rajendra, and leaving other officials, which is discriminatory. The disciplinary action has to be initiated against the field staff also as mentioned in the Sub Collectors' enquiry report.

6. Government after careful examination of the matter, in exercise of the powers conferred under Rule 40 of A.P.C.S (CC& A) Rules, 1991 hereby order for modifying the penalty imposed by the Appellate Authority i.e., Chief Commissioner of Land Administration from 'stoppage of three annual grade increments without cumulative effect' to that of 'censure'.

7. The District Collector, SPSR Nellore District shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The District Collector, SPSR Nellore District.
Copy to:
The CCLA, Vijayawada,
Sf/Sc

//FORWARDED:: BY ORDER//

SECTION OFFICER